

DAVISON TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING  
MARCH 9, 2022

**MEMBERS PRESENT:** CHAIRMAN BRUCE CALHOUN, SECRETARY ROB HOLLOWBACK, TIM GREEN,

JOHN ALLEN, PAUL SNYDER, FRED JACKSON, ANNETTA WILBON

ATTORNEY BILL DELZER

BUILDING MATT PLACE

PLANNING/ZONING CONSULTANT CHARM HEALY

**MEMBERS ABSENT:** VICE CHAIR DAVID SHIELDS, CAROL DOWSETT, JACKIE HOIST

**OTHERS PRESENT:** Jane Maroun, Don Wummel, Ben Burbar, Andrea Lepton, Rob Hatchel, Jackie Hoist,

**CALL TO ORDER**

The regular meeting of the Davison Township Planning Commission was called to order at 6:00 P.M. at the Davison Township Municipality Building, 1280 N Irish Rd, Davison MI 48423 and the pledge of allegiance was recited.

**ADOPT THE AGENDA**

**MOTION BY SNYDER, SECOND BY ALLEN** to adopt the March 9, 2022, regular meeting agenda as presented. Motion carried unanimously.

**PREVIOUS MINUTES**

**MOTION BY SNYDER, SECOND BY HOLLENBACK** to approve the February 9, 2022, regular board meeting minutes as presented. Motion carried unanimously.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**CASE #16-SCU-2022-3 – BEN BURBAR, OWNER IS PROPOSING A NEW GAS STATION AND TWO DRIVE-THRU ONLY BUSINESSES.**

Ben Burbar – owner of the property is asking to be able to put in a new gas station in two drive-thru only businesses.

Place – owner of the rack; parcel ID 05-07-200-011/05-07-200-012; lot size 2.75 acres; current zoning is GC; current land uses GC; future land use GC; the present building and the house to the South will be demolished; Ben is requesting special condition use for two drive-thru businesses section 1302.8 and a gas filling station section 1302.3 of Davison Township Zoning Ordinance: Recommended actions:

1. The drive-thru areas are fully screened from the residential property.

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2. The drawings submitted and reviewed reflect the requirements set forth in the Davison Township Zoning Ordinance for the Special Condition Use permit.
3. This request meets the spirit and intent of the Davison Township Zoning ordinance and will be in good character with the surrounding land uses in the General Commercial District.

Please make your motion in the form of a recommendation to the Township Board.

**PUBLIC COMMENT**

Public comment period was opened at 6:15 P.M.

Jane Maroun – 1413 Hobnail Ct. - two houses between the rock and her condo, does not want to hear the speakers in the drive-thru; concerned over sound of two fast food drive-thru; also, to leave the Hampton Manor it is very hard to turn left, they have to make a right to go down Irish and then turn right.

Don Wummel – 1469 Steeple Chase Ct. - concern is trash dumping in the morning?

Ben Burbar - stated he would talk to the trash company about it.

Andrea Lepton – 1402 Hobnail Ct. - also concerned about traffic; Every day she makes left and she already waits.

Rob Hatchel – 1481 Irish Rd. - it's all about the business; He is requesting more screening; He is concerned about it being a liquor store; he would like a fence up to so many feet; he has a daughter; his business keeps many items stored behind his house.

Jackie Hoist - proposed for the South property line and Arbor villaee.

Calhoun - asked about the size of the Arbor villaee.

Dennis Banaszak - set 4-feet with 3-feet apart.

Calhoun - we may change to 6-feet.

Calhoun – closed comment section; discussed on how to handle the comments.

Hollenback - asked if the house and the rock will be torn down? how far from property line?

Dennis Banaszak - 282 from property to nearest condo.

Bill Delzer - stated a 20-foot variance was given at the ZBA.

Calhoun - I would like to see a fence and Arbor 6 feet along South line.

Jackson - asked about a solid fence.

Calhoun - also the West property line should also run the fence north.

Resident - stated touchless screen.

Ben Burbar - stay at coffee only 9 to 9.

Calhoun - stated he is very concerned with the drive through facing neighbors.

Dennis Banaszak - most of speaker systems only allows control and at 17 feet noise will drop down to a normal conversation; at 220 feet the sound of speakers should not be heard; North drive-up window will be shielded by building; is asking to put 6 foot Arbor on West line and split using a fence.

Hollenback - he would like to see fence and arbor.

Calhoun - and why did we request such an extension?

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Place - said was to reduce noise.

audience member - mentioned all bedrooms are on the second story.

Calhoun - north fence line to the end of the building.

Snyder - a line of cars on West property line could cause a lot of noise from for condos.

Ben Burbar - stated someone will be outside taking orders.

Calhoun - raising height of Arbor.

Dennis Banaszak - HVAC is on West corner and secluded with masonry wall and two doors white vinyl.

Calhoun - asked about lighting on back of building?

Place - stated they can be changed to downcast.

Calhoun - told Matt to watch that.

Hollenback - asked if we can set hours for trash pickup?

Calhoun - said yes put it in motion, location of north drive?

Place - said I have not given my staff report yet.

Ben Burbar - is not a 24-hour gas station.

Chris from Marathon - trucks show up 24/7; depends on availability.

Calhoun - he doesn't like the fuel trucks fueling at any time; said can a stipulation be put on when they can come; set motion maker should put stipulation on fueling delivery times; Diesel trucks shouldn't be left running.

Chris from Marathon - it could be anytime for delivery.

Place - this will depend on when Mr. Burbar request fueling.

Chris from Marathon - said he could put a request for delivery.

Calhoun - set motion maker should make deliveries only from 7:00 AM to midnight.

Public comment period closed at 7:15 P.M.

**CASE #16-SP-2022-2 – BEN BURBAR, OWNER IS PROPOSING A NEW GAS STATION AND TWO DRIVE-THRU ONLY BUSINESSES.**

Place - owner of the rack; parcel ID 05-07-200-011/05-07-200-012; lot size 2.75 acres; current zoning is GC; current land uses GC; future land use GC; the present building and the house to the South will be demolished; Ben Burbar is proposing to build on the northwest corner of Davison and Irish Rd in approximately 7138 square feet commercial building with a gas filling station and two drive-thru lanes one for a coffee shop and one for a pizzeria both are for takeout only; the site will be accessed from three locations one off of Davison Rd and two drives off of Irish Rd. A traffic study is being prepared. The information from the traffic study and the review from the road Commission will direct the engineer to make adjustments if needed. 42 spaces are required and 44 are provided for parking; a 10 x 50 foot landing zone is provided; 30% green spaces required 30.22% is provided; all signage will be submitted in the future and will be subject to review and approval by the building department and separate permits will be issued; the photometric plan does meet the requirements of the ordinance; the dumpster details meet the requirements of the ordinance, however there needs to be some screening added; there is no open space requirement needed; this area is provided on the

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South side of the parcel and meets the Township requirements for the loading and unloading zone; a traffic report was prepared by a Rowe Engineering; Their recommendation is to construct taper lanes on driveway 1 on Davison road and driveway 2, the north entrance on Irish Rd.; Genesee County Road Commission will have final say if this will be required; the fire department does not have any concerns; the Building/Planning department would support a recommendation of approval of this conceptual site plan based on the following reasons and conditions:

1. this conceptual site plan meets requirements of the Davison Township ordinance in a General Commercial zoned district.
2. upon approval by the Planning Commission the applicant may proceed with the preparation of engineered drawings for the Genesee County agencies.

Calhoun - asked about screening for dumpsters, also need screening from road, question size of dumpsters.

Hollenback - asked how many charging stations?

Wilbon - asked if parking spaces are shown?

Calhoun - ask Matt if pump parking is also counted?

Dennis Banaszak - said only end fast fill for box trucks; there will be screening around dumpsters.

Calhoun - stated he would prefer dumpster in back corner, but it would put it closer to the residents.

1. Fueling hours between 7:00 AM and midnight.
2. Trash pickup between 9:00 AM and 7:00 PM.
3. A 6-foot-high privacy fence to be constructed from the West property corner and to continue east on the South property line to the West side of the existing neighboring garage. Also, same fence shall run north along the West property line 50 feet. Remove arborvitae north of the spring point on the West property line.
4. The shadowbox fence shall be made of cedar and to be protected from weathering with a stain. Treated wood post shall be used.
5. 6-foot-tall arborvitae shall be spaced 4 feet apart.
6. The HVAC enclosure shall be faced with cultured stone.
7. Remove arborvitae on the West side from the spring point of the curb to the north property line.
8. The storm water/detention pond engineering will be submitted by March 28th for review at the April 13th Planning Commission.
9. The driveway approaches will have to meet all Genesee County Road Commission standards.

Dennis Banaszak - Detention on two corners in front yard.

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Calhoun - stated Meijer detention worse.

Dennis Banaszak - said they will be dry ponds and mowable; they will be three to five feet.

Calhoun - building looks nice but the detention ponds are not attractive.

Jackson - agreed that the deeper detention ponds will collect trash.

Calhoun - not comfortable approving with these detention ponds.

Place - said go to underground detention.

Jackson - said it should be shown.

Place – said it depends on Genesee County.

Calhoun - ask when they're ready to go to Genesee County in three to four months.

**MOTION BY HOLLENBACK, SECOND BY JACKSON** to approve recommendation for approval of CASE #16-SP2022-2 AND CASE #16-SCU-2022-3- Ben Burbar, owner for a new gasoline filling station in two drive-thru only businesses with the conditions of the following:

1. Fueling hours between 7:00 AM and midnight.
2. Trash pickup between 9:00 AM and 7:00 PM.
3. A 6-foot-high privacy fence to be constructed from the West property corner and to continue east on the South property line to the West side of the existing neighboring garage. Also, same fence shall run north along the West property line 50 feet. Remove arborvitae north of the spring point on the West property line.
4. The shadowbox fence shall be made of cedar and to be protected from weathering with a stain. Treated wood post shall be used.
5. 6-foot-tall arborvitae shall be spaced 4 feet apart.
6. The HVAC enclosure shall be faced with cultured stone.
7. Remove arborvitae on the West side from the spring point of the curb to the north property line.
8. The storm water/detention pond engineering will be submitted by March 28th for review at the April 13th Planning Commission.
9. The driveway approaches will have to meet all Genesee County Road Commission standards.

Motion carried unanimously.

**DISCUSSION ON TEXT AMENDMENTS PRESENTED BY ADAM YOUNG FROM WADE TRIM**

Off street parking dash change to Genesee County Road standards and MDOT; Design standard; exterior lighting; Site plan.

Jackson - state some of the standards are not available as recommended by the Township engineer.

Calhoun - states not listing in ordinance; Make each developer call GCRC to get standards.

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Jackson - GCRC goes by MDOT standards; Some of the aggregate list has not been produced in decades.

Bill Delzer - Keeps us from continually making updates to ordinance.

Adam - Said ask Matt; reference to a standard how should we say it.

exterior lighting, we measure lux and foot candles; grade level; they come in by lumens (at light source not grade level); remove a section because it is repetitive.

site plan review procedures used to bring old buildings up to code during new businesses or changes of ownership.

proposal adds new businesses change in business ownership.

Place - said we asked Lattie about this.

Calhoun - Does not agree with change in business ownership.

Place - set example when it doesn't have sidewalks.

Bill Delzer - said change of ownership is loosely worded; We must be careful; also said how do we change ownership; we have to be careful we don't overstep.

business license ordinance might be required.

Adam - look for procedures for business licenses.

Place - would like to add screening of HVAC (rooftop units).

Adam - will add screening and get us an updated draft.

Calhoun - how do other communities handle site maintenance?

Adam - Set word application site plan; add to site plan development maintain all landscaping.

No public hearing until the Planning Commission hears the changes.

**INFORMATIONAL ITEMS**

None

**ADJOURNMENT**

**MOTION BY JACKSON, SECOND BY GREEN** to adjourn at 7:59 P.M. Motion carried unanimously.

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Rob Hollenback, Secretary